Secy to G. H. **(1940.) Department.**

Mis. **SERIES.**

G.O. No. 2141 G.H.

Dated 21. 5. 940.

[Despatch Abstract.]

Buildings - Rules - Hospet Municipality - Sri G. Lakshmappa - Council's resolution granting exemption from Building Rules - Cancellation - Notice to show cause against - Issued.

Municipal DEPARTMENT.

Received 11 APR 1940 19 Registered 15492 19

Subject.

Building - construction of a building - Gooleida Lakshmappa - contravention of building rules - orders requested.

ENCLOSURES.
No. File of 4 & pages.
Spare copies

H. P. No. 394/39

Station Hospet, *Dated the* 2nd April 19 40

From (Name) Sri. N. G. Reddy, B.A., (Cantab)

(Designation) Commissioner, Hospet Municipality, Hospet.

To The Secretary to the Government of Madras, Education and Public Health Department.

Through

Sir,

The Chairman,
Municipal Council,
Hospet.

One Gooleida Lakshmappa commenced the construction of a building without putting an application for licence. Immediately a notice was issued vide page 1 to stop work and to show cause why action should not be taken. The party sent in an application vide page 3. It is not in the prescribed form as required ~~x~~ by rule 78 of the building rules, and necessary plans and particulars as per section 197 of the District Municipalities Act and rules 79 a to 83 of the building rules have not been furnished. He was prosecuted for the offence and was fined vide page 5. Permission was refused as the party did not submit the plans for scrutiny and a copy &

Forwarded
G. a. 20.
To Secretariat, M.C.

of the order vide page 7 was communicated to him. Inspi... of refusal order the party continued the construction. He was also prosecuted for continuing the construction and was fined vide page 11.

The party having commenced and completed the construction without the permission of the executive Authority, was served with provisional order vide page 13 under section 216(1) of the District Municipalities Act. In reply to the provisional order he appealed to the council for permission vide page 17. The grounds of the appeal are

(1) that he is uneducated and is ignorant of rules and regulation.

(2) that he had to finish the construction speedily, the season being rainy. All the above irregularities can be ignored. and (3) that he is very poor. But the Health Officer reports that the building erected contravenes the building rules 8, 24(1), 24(3) and 30(1) inrespect of open space and ventilation and does not recommend for the grant of licence vide page 29.

P.35 infra

The Council in its resolution No.1152 dated 18-1-40 vide page 33 granted the licence. I request the Government to pass necessary orders whether Council's resolution may be given effect to.

P 37 infra

The whole file of 48 pages with the sketch showing the position of the building is herewith submitted and may be returned with the orders of the Government.

BN/3-4.

M.H.O.

Commissioner.

4-4-40

15492 F

Public Health Department.

Memo No.15492 from the Commissioner
Hospet Municipality.
H. P. No. 394/39 dated 2-4-40

Subject:- Building - Hospet Municipality - Sri. Gooleida Lakshmappa - Relaxation.

Memo No: 15492-1- F-P.H. dt 22.4.40

Referred to the D.T.P. for remarks.

To the D.T.P. With the ct. in original to be returned with reply.

12.4.40.

19.4.40

withdrawn
23/4

Education & Public Health DEPARTMENT.

GOVERNMENT OF MADRAS — Received 11 MAY 1940 — EDUCATION & PUBLIC HEALTH DEPT.

Received ..... 19 . *Registered* 19983 19

Subject.

Buildings -Rules - Hospet Municipality - Sri Gooleida Lakshmappa - Relaxation.

Enclosures.
No.
Spare copies

D.T.P. No. 1122/40.

Station Madras, *Dated the* 10th May 1940. 19

From (Name) S.Ranganathan Esq., O.B.E., I.C.S.,

(Designation) Ex-officio Director of Town Planning, Madras.

To The Secretary to the Government of Madras,

Education & Public Health Department.

Sir,

P.49 ante Ref: Govt.Memo.No.15492-1 F P.H. dated 22nd April 1940.

*****

Resubmitted.

2. The building is reported to contravene a number of rules such as 8,24(1),24(3) and 30(1). It would be improper to grant license for the building.

P.35 ante 3. The resolution of the council granting license for the building is contrary to the statutory Building Rules and beyond its powers. The Government may cancel the resolution.

S.Ranganathan.

for Ex-officio Director of Town Planning.

C. 10/5 L&S 10/5

C.F. 16

DRAFT FOR APPROVAL.

E & P.H. Dept.

	Date.	Initials.
When received for fair copying ..		
When copied ..	21/5	
When examined ..		
When signed ..		
When despatched.		

SUBJECT :— Buildings - Rules. Hospet-municipality - Sri G. Lakshmappa. Council's resolution granting exemption from Building Rules - Cancellation - Notice to show cause against - Issued.

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

C. No. 15492 From the Bomm. Hospet municipality No. 394/39 dated 2-4- 1940

" _____ " _____ " _____ " _____ 19____

-f- " 19983 " D.T.P. " 1122/40 " 10-5- 1940.

Order / Resolution Ms. / Rout. No. 2141 dated 21-5-1940

Urgent. P.T.O.

15492

In its resolution no. 1152 dated 18-1-40 the Hospet mu. cl. has granted permission to Sri Gooleida Lakshmappa for the construction of a building in contravention of Building Rules The mu. cl. has no power to exempt any building from the operation of any of the building rules, but can only recommend to govt. deserving cases for exemption The Hospet mu. cl. has thus exceeded the powers vested in it by law in

having passed the resolution aforesaid It is hereby called upon, under the proviso to sub-clause (b) of clause (i) of sub-section (1) of section 36 of the M.D.M. Act, 1920, to show cause within a fortnight from the date of receipt of this order why its resolution no 1152 dated 18.1.40 should not be cancelled

by
17.5.40.

SRM
20/5/40

17/5

To
The Comr. Hospet municipality through the C.M.C. Hospet.
The D.T.P.

20/5